

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

SEIVERT DAYDRILL  
RUNNINGCRANE,

Defendant.

**CR-16-17-GF-BMM**

**ORDER**

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on June 1, 2020. (Doc. 191.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Thomas v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on May 28, 2020. (Doc. 190.) The United States accused RunningCrane of violating his conditions of supervised release 1) by failing to report for substance abuse treatment on numerous occasions; 2) by failing to report for substance abuse testing on numerous occasions; 3) by failing to notify his probation officer of a change in

employment status; 4) by failing to follow the instructions of his probation officer; and 5) by using methamphetamine on three separate occasions. (Doc. 181). At the revocation hearing, RunningCrane admitted that he had violated the condition of his supervised release: 1) by failing to report for substance abuse treatment on numerous occasions; 2) by failing to report for substance abuse testing on numerous occasions; 3) by failing to notify his probation officer of a change in employment status; 4) by failing to follow the instructions of his probation officer; and 5) by using methamphetamine. RunningCrane denied allege violations 8 an 9. The Government met its burden of proof with respect to alleged violations 8 and 9. (Doc. 190.) Judge Johnston found that RunningCrane's violations proved to be serious and warranted revocation, and recommended that RunningCrane receive a custodial sentence of 5 months, with 20 months of supervised release to follow. (Doc. 191.) RunningCrane was advised of the 14 day objection period and his right to allocute before the undersigned.

The violations prove serious and warrant revocation of RunningCrane's supervised release. The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 191) are **ADOPTED IN FULL**.

**IT IS FURTHER ORDERED** that Defendant Seivert Daydrill RunningCrane be incarcerated for a term of 5 months of custody, followed by 20 months of supervised release.

DATED this 16th day of June, 2020.

A handwritten signature in blue ink, reading "Brian Morris".

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Brian Morris, Chief District Judge  
United States District Court

